

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

KARRIEM MOHAMMED-EL,

Plaintiff,

vs.

LA SALLE BANK, BEAR STERNS,

Defendants.

Case No: C 10-0541 SBA

**ORDER DISMISSING ACTION WITH
LEAVE TO AMEND**

Plaintiff Karriem Mohammed-El filed the instant action pro se, ostensibly against La Salle Bank and Bear Sterns. He has also filed an application to proceed in forma pauperis (IFP). Under 28 U.S.C. § 1915(e)(2), federal courts are authorized to review claims filed IFP prior to service and to dismiss the case at any time if the court determines that: (1) the allegation of poverty is untrue; (2) the action is frivolous or malicious; (3) the action fails to state a claim; or (4) the action seeks monetary relief from a defendant who is immune from such relief. A pleading filed by a pro se plaintiff must be liberally construed. Balistreri v. Pacifica Police Dep't, 901 F.2d 696, 699 (9th Cir. 1990).

Rule 8 of the Federal Rules of Civil Procedure requires that a complaint contain a “short and plain statement of the claim showing that the pleader is entitled to relief.” Fed.R.Civ.P. 8(a)(2). A complaint must allege “enough facts to state a claim to relief that is plausible on its face,” Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007), and “give the defendant fair notice of what ... the claim is and the grounds upon which it rests,” Erickson v. Pardus, 551 U.S. 89, 93 (2007) (internal quotation marks omitted). If a complaint fails to satisfy Rule 8, it “must be dismissed” for failure to state a claim upon which relief can be granted. Twombly, 550 U.S. at 570. Here, the complaint is unintelligible. Aside from alleging that he is a “Moorish National Aboriginal,” Plaintiff fails to allege any facts in support of his claim, if any. Rather, the complaint


1 consists almost entirely of random propositions of law, what appear to be case citations, and vague
2 assertions that "The Bank" somehow acted in a "criminal" manner. No particular relief is sought.
3 The Complaint will therefore be dismissed.

4 Because the plaintiff is proceeding pro se, the Court will provide guidance on the type of
5 information that should be included in an amended complaint. Plaintiff must allege: (1) the
6 identity of each Defendant; (2) the actions of each Defendant which forms the basis of his claim;
7 (3) the legal basis of each claim; (4) the basis of the Court's subject matter jurisdiction; (5) that
8 venue is proper in this District; and (5) the particular relief sought. Plaintiff is advised to review
9 the Federal Rules of Civil Procedure, and in particular Rule 8(a)(2), which, as noted, "requires a
10 complaint to include a short and plain statement of the claim showing that the pleader is entitled to
11 relief ... to give the defendant fair notice of what the claim is and the grounds upon which it rests."
12 Twombly, 550 U.S. at 555. Accordingly,

13 IT IS HEREBY ORDERED THAT the instant action is DISMISSED. Plaintiff shall have
14 14 days for the date this Order is filed to file an amended complaint that complies with the above.
15 Failure to file an amended complaint within that timeframe will result in the dismissal of this
16 action, without further notice.

17 IT IS SO ORDERED.

18 Dated: March 26, 2010


SAUNDRA BROWN ARMSTRONG
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

KARRIEM MOHAMMED-EL,

Plaintiff,

v.

LA SALLE BANK et al,

Defendant.

Case Number: CV10-00541 SBA

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 30, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Karriem Mohammed-El
2900 Rheem Avenue
Richmond, CA 94804

Dated: 3/30/2010

March 30, 2010

Richard W. Wieking, Clerk

By: LISA R CLARK, Deputy Clerk